

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By **CHAIRMAN MATT BRAINARD**, on February 16, 1999
at 7:00 A.M., in Room 420 Capitol.

ROLL CALL

Members Present:

Rep. Matt Brainard, Chairman (R)
Rep. Toni Hagener, Vice Chairman (D)
Rep. Allan Walters, Vice Chairman (R)
Rep. Darrel Adams (R)
Rep. Joan Andersen (R)
Rep. Edith Clark (R)
Rep. Tom Dell (D)
Rep. George Golie (D)
Rep. Donald L. Hedges (R)
Rep. Monica Lindeen (D)
Rep. Jeff Mangan (D)
Rep. Douglas Mood (R)
Rep. Brennan Ryan (D)
Rep. Frank Smith (D)
Rep. Bill Tash (R)
Rep. Bill Thomas (R)
Rep. Doug Wagner (R)

Members Excused: None.

Members Absent: None.

Staff Present: Sheri Heffelfinger, Legislative Branch
Karen Mills, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 578, 508, 559, 535,
2/5, 1999, 2/9/1999, 2/10, 1999
Executive Action: HB 490, 578, 324, 144, 457,
508, 244, 570,

EXECUTIVE ACTION ON HB 244

Motion: REP. BRAINARD moved HB 244 be taken off the table. **EXHIBIT**(sth38a01)
{Tape : 1; Side : A; Approx. Time Counter : 0.1 - 1.5}

Vote: The motion carried 11-1; Rep. Wagner voting no.
{Tape : 1; Side : A; Approx. Time Counter : 1.5 - 2}

Motion: REP. BRAINARD moved HB 244 DO PASS as amended per exhibit 1.
{Tape : 1; Side : A; Approx. Time Counter : 2 - 2.2}

Discussion:
{Tape : 1; Side : A; Approx. Time Counter : 2.2 - 5.5}

Motion/Vote: The motion carried 7-5; REPS. WALTERS, WAGNER, CLARK, MANGAN AND ADAMS VOTING NO.
{Tape : 1; Side : A; Approx. Time Counter : 5.5 - 6.7}

EXECUTIVE ACTION ON HB 570

Motion: REP. WALTER moved HB 570 DO PASS.
{Tape : 1; Side : A; Approx. Time Counter : 7.7 - 7.8}

Discussion:
REPS. HEDGES, ADAMS, WALTERS, BRAINARD, HEDGES AND WAGNER.
{Tape : 1; Side : A; Approx. Time Counter : 7.8 - 21}

Vote: The motion carried 9-7.
{Tape : 1; Side : A; Approx. Time Counter : 21 - 21.3}

HEARING ON HB 578

Opening Statement by Sponsor: REP. SHIEL ANDERSON
{Tape : 1; Side : A; Approx. Time Counter : 23.3 - 24.8}

Proponents' Testimony:

BRUCE BARRETT, Concerned citizen **EXHIBIT**(sth38a02)
{Tape : 1; Side : A; Approx. Time Counter : 25.2 - 31}
{Tape : 1; Side : B; Approx. Time Counter : 0.1 - 2.8}

ANGELA FULTZ NORDSTROM, Dep. Sec. State

{Tape : 1; Side : B; Approx. Time Counter : 3.7 - 4}

JOHN KUBLIN, A. P. Mt. Bureau Chief

{Tape : 1; Side : B; Approx. Time Counter : 4.4 - 7}

ARNIE OLSON, Fish, Wildlife and Parks

EXHIBIT(sth38a03)**EXHIBIT**(sth38a04)

{Tape : 1; Side : B; Approx. Time Counter : 7.6 - 10.4}

JIM FALL, Ex. Dir. Mt. News Assoc. **EXHIBIT**(sth38a05)

{Tape : 1; Side : B; Approx. Time Counter : 10.5 - 11.9}

RILEY JOHNSON, Mt. Broadcaster's Assoc.

{Tape : 1; Side : B; Approx. Time Counter : 11.9 - 12.9}

Opponents' Testimony: None.

Questions from Committee Members and Responses:

REPS. HEDGES, WAGNER, ANDERSON

{Tape : 1; Side : B; Approx. Time Counter : 13.6 - 19.7}

Informational Testimony:

RON AASHEIM, Mt. Wildlife and Parks

{Tape : 1; Side : B; Approx. Time Counter : 19.7 - 20}

Discussion:

REPS. ANDERSON, BRAINARD HAGENER, ADAMS

{Tape : 1; Side : B; Approx. Time Counter : 20 - 24.9}

Closing by Sponsor: REP. SHIEL ANDERSON

{Tape : 1; Side : B; Approx. Time Counter : 24.9 - 25.8}

HEARING ON HB 508

Opening Statement by Sponsor: REP. DAN HARRINGTON

{Tape : 1; Side : B; Approx. Time Counter : 26.4 - 31}

Proponents' Testimony: None.

Opponent's Testimony:

MARK MACKIN, Concerned citizen **EXHIBIT**(sth38a06)**EXHIBIT**(sth38a07)

{Tape : 2; Side : A; Approx. Time Counter : 0.4 - 10.2}

Informational Testimony:

BETH BAKER, Dept. of Justice **EXHIBIT**(sth38a08) Amendments
{Tape : 2; Side : A; Approx. Time Counter : 10.5 - 19.3}

Questions from Committee Members and Responses:

REPS. BRAINARD, HEDGES, WAGNER HAGENER
{Tape : 2; Side : A; Approx. Time Counter : 19.6 - 26.4}

Closing by Sponsor: REP. DAN HARRINGTON

{Tape : 2; Side : A; Approx. Time Counter : 26.7 - 28}

HEARING ON HB 559

Opening Statement by Sponsor: REP. AUBYN CURTIS

{Tape : 2; Side : B; Approx. Time Counter : 0.3 - 1.4}

Proponents' Testimony:

JOE BALYEAT, State Chr. Mt. for Better Government
EXHIBIT(sth38a09)
{Tape : 2; Side : B; Approx. Time Counter : 1.6 - 7.9}

BONNIE ROSSIGNOL, Concerned citizen **EXHIBIT**(sth38a10)
{Tape : 2; Side : B; Approx. Time Counter : 8.3 - 9.4}

LORNA KARN, Mt. Farm Bureau **EXHIBIT**(sth38a11)
{Tape : 2; Side : B; Approx. Time Counter : 10 - 12.8}

Opponents' Testimony:

BETH BAKER, Mt. Attorney General's Office
{Tape : 2; Side : B; Approx. Time Counter : 14.1 - 19.6}

ANN HEDGES, Mt. Environmental Education Center.
{Tape : 2; Side : B; Approx. Time Counter : 20.1 - 26.8}

DON JUDGE, AFL/CIO
{Tape : 2; Side : B; Approx. Time Counter : 26.9 - 30.1}
{Tape : 3; Side : A; Approx. Time Counter : 0.1 - 4.7}

JOHN NORTH, Chief Legal Counsel for Environmental Quality Control
Dept.
{Tape : 3; Side : A; Approx. Time Counter : 4.9 - 5.9}

JANET ELLIS, Mt. Audubon Society **EXHIBIT**(sth38a12)

{Tape : 3; Side : A; Approx. Time Counter : 6.1 - 6.9}

Questions from Committee Members and Responses:

REPS. LINDEEN, HEDGES, DELL, LINDEEN

{Tape : 3; Side : A; Approx. Time Counter : 9.7 - 19.8}

EXHIBIT(sth38a13) **EXHIBIT**(sth38a14) Written testimonials.

Closing by Sponsor: REP. AUBYN CURTIS

{Tape : 3; Side : A; Approx. Time Counter : 20 - 24.9}

HEARING ON HB 535

Opening Statement by Sponsor: REP. BOB DAVIES

{Tape : 3; Side : A; Approx. Time Counter : 24.9 - 28}

Proponents' Testimony:

JOHN EMORY, Mt. Farm Bureau

{Tape : 3; Side : B; Approx. Time Counter : 0.1 - 2.3}

REP. BOB RANEY

{Tape : 3; Side : B; Approx. Time Counter : 2.5 - 4}

JOE BALYEAT, Change for Better Government **EXHIBIT**(sth38a15)

{Tape : 3; Side : B; Approx. Time Counter : 4.1 - 6.8}

WALLY SEPT, Concerned citizen *{Tape : 3; Side : B; Approx. Time Counter : 7 - 8.6}*

BOBBIE ROSSIGNOL, Concerned citizen

EXHIBIT(sth38a17) **EXHIBIT**(sth38a16)

{Tape : 3; Side : B; Approx. Time Counter : 8.8 - 8.9}

GEORGE OCHENSKI, Mt. State Parks Action Fund

{Tape : 3; Side : B; Approx. Time Counter : 10.4 - 12}

JAY SAGE, Concerned citizen

{Tape : 3; Side : B; Approx. Time Counter : 12.2 - 13.4}

Opponents' Testimony:

LANCE MELTON, General Counsel Mt. School Board Assoc.

EXHIBIT(sth38a18)

{Tape : 3; Side : B; Approx. Time Counter : 15.5 - 17.1}

MADELINE QUINLAN, State Sup. of Instruction Office

{Tape : 3; Side : B; Approx. Time Counter : 17.2 - 18.7}

CATHY CONOVER, M.S.U

{Tape : 3; Side : B; Approx. Time Counter : 18.9 - 20.2}

ALEC HANSEN, Mt. League of Cities and Towns

{Tape : 3; Side : B; Approx. Time Counter : 20.4 - 23.5}

DON WALDRON, Mt. Assn. of County Sup.

{Tape : 3; Side : B; Approx. Time Counter : 23.8 - 25.3}

DON JUDGE, AFL/CIO,

{Tape : 3; Side : B; Approx. Time Counter : 26.9 - 28.4}

ERIC FEAVER, MEA/FTA,

{Tape : 4; Side : A; Approx. Time Counter : 0.5 - 2.6}

DAVE LEWIS, Gov. Office of Program Planning

{Tape : 4; Side : A; Approx. Time Counter : 2.9 - 5.3}

LOREN FRAZIER, School Admin. Assoc.

{Tape : 4; Side : A; Approx. Time Counter : 5.4 - 6.5}

MIKE VOLESKY, Mt. Assoc. of Conservation Districts

{Tape : 4; Side : A; Approx. Time Counter : 6.7 - 9}

JOYCE SCOTT, Dept. Commissioner of Higher Education

{Tape : 4; Side : A; Approx. Time Counter : 9.1 - 11.1}

ANGELA FULTZ NORDSTROM, Dep. Sec. of State

{Tape : 4; Side : A; Approx. Time Counter : 11.3 - 13}

BETH BAKER, Mt. Dept. of Justice

{Tape : 4; Side : A; Approx. Time Counter : 14 - 15.8}

Informational Testimony:

GARY MARBUT, MSSA, BSPSC, WMFGA

{Tape : 4; Side : A; Approx. Time Counter : 16 - 18.5}

MIKE FELLOWS, Libertarian Party

{Tape : 4; Side : A; Approx. Time Counter : 18.8 - 19.5}

MARY PHIPPEN, Mt. Assoc. Clerks of Dist. Ct.

{Tape : 4; Side : A; Approx. Time Counter : 19.8 - 21.3}

Closing by Sponsor: REP. BOB DAVIES

{Tape : 4; Side : A; Approx. Time Counter : 21.8 - 26.9}

EXECUTIVE ACTION ON HB 490

Motion: REP. LINDEEN moved HB 490 DO PASS

{Tape : 4; Side : A; Approx. Time Counter : 26.9 - 31}

Discussion:

REPS. HEDGES, LINDEEN, HAGENER, BRAINARD

{Tape : 4; Side : B; Approx. Time Counter : 0.1 - 7.6}

Motion: REP. BRAINARD moved to strike amendment on mail ballot election and keep school elections tied to presidential polls

{Tape : 4; Side : B; Approx. Time Counter : 7.6 - 7.7}

Discussion:

REPS. RYAN, HEDGES, CLARK, MANGAN, LINDEEN, ADAMS, WAGNER

{Tape : 4; Side : B; Approx. Time Counter : 7.7 - 18}

Vote: The motion carried 16-0 to adopt as amended HB 490.

{Tape : 4; Side : B; Approx. Time Counter : 18 - 20}

EXECUTIVE ACTION ON 578

Motion: REP. WALTERS moved HB 578 DO PASS

{Tape : 4; Side : B; Approx. Time Counter : 20 - 20.5}

Motion: REP. WALTER moved HB 578 be amended

{Tape : 4; Side : B; Approx. Time Counter : 20.5 - 20.8}

Discussion:

REPS. WALTERS, BRAINARD, THOMAS, HEDGES, WALTERS, WAGNER, ADAMS, HEDGES, LINDEEN ANDERSON, ADAMS, DELL, RYAN

{Tape : 4; Side : B; Approx. Time Counter : 20.9 - 30}

Vote: The motion failed 13-3; REPS. MANGAN, WALTERS, WAGNER VOTING NO.

Discussion:

REPS. HAGENER, LINDEEN, HEDGES, LINDEEN , ANDERSON

{Tape : 4; Side : B; Approx. Time Counter : 30 - 32.4}

{Tape : 5; Side : A; Approx. Time Counter : 0.2 - 5.2}

Motion: REP. LINDEEN moved to strike lines 21-22 and add and on Line 23.

{Tape : 5; Side : A; Approx. Time Counter : 5.3 - 5.5}

Discussion:

{Tape : 5; Side : A; Approx. Time Counter : 6.2 - 6.4}

Motion: REP. LINDEEN moved to withdraw her first motion.

Substitute Motion: REP. LINDEEN moved to remove lines 21-22 on pg. 1

{Tape : 5; Side : A; Approx. Time Counter : 6.4 - 9.0}

Vote: The motion carried 15 -2; REP. RYAN, WAGNER VOTING NO.

{Tape : 5; Side : A; Approx. Time Counter : 9.0 - 9.4}

Motion: REP. MANGAN moved HB 578 DO PASS as amended.

{Tape : 5; Side : A; Approx. Time Counter : 9.4 - 9.8}

Vote: The motion carried 16-1; REP. RYAN VOTING NO.

{Tape : 5; Side : A; Approx. Time Counter : 10.4 - 10.8}

EXECUTIVE ACTION ON 324

Motion: REP. BRAINARD moved DO PASS on HB 324

{Tape : 5; Side : A; Approx. Time Counter : 10.8 - 11}

Discussion:

REP. HAGENER

{Tape : 5; Side : A; Approx. Time Counter : 11 - 11.8}

Motion/Vote: REP. BRAINARD moved to table HB 324. Motion carried 16-1; REP. WALTERS VOTING NO.

Motion: REP. HAGENER moved to make 2 Resolutions

{Tape : 5; Side : A; Approx. Time Counter : 15.1 - 16.5.

Motion/Vote: REP. HAGENER has moved to untable HB 144; motion passed unanimously.

{Tape : 5; Side : A; Approx. Time Counter : 18.1 - 19}

Motion: REP. HAGENER moved DO PASS on HB 144.

{Tape : 5; Side : A; Approx. Time Counter : 19 - 19.5}

Motion: REP. BRAINARD moved DO PASS amendments on HB 144, which strikes everything in the bill and we will substitute LC 1837.
{Tape : 5; Side : A; Approx. Time Counter : 19.5 - 20}

Discussion:

REP. WAGNER, BRAINARD, WAGNER

{Tape : 5; Side : A; Approx. Time Counter : 20 - 22.5}

Vote: The motion carried 12-3; REPS. WAGNER, HEDGES, DELL VOTING NO.
{Tape : 5; Side : A; Approx. Time Counter : 22.5 - 22.8}

EXECUTIVE ACTION ON 457

Motion: REP. LINDEEN moved HB 457 be taken off the table.
{Tape : 5; Side : A; Approx. Time Counter : 22.8 - 23.7}

Vote: The motion carried 12-3; REPS. HEDGES, WAGNER, CLARK, ANDERSON VOTING NO.
{Tape : 5; Side : A; Approx. Time Counter : 23.7 - 24}

Motion: REP. HAGENER moved DO PASS on HB 457
{Tape : 5; Side : A; Approx. Time Counter : 24 - 24.3}

Motion: REP. BRAINARD moved DO PASS on Amendment LC 1836, a resolution draft.
{Tape : 5; Side : A; Approx. Time Counter : 24.3 - 25.7}

Discussion:

REPS. WAGNER, ADAMS, BRAINARD

{Tape : 5; Side : A; Approx. Time Counter : 25.7 - 26.2}

Motion/Vote: The motion carried 12-3; REPS. WAGNER, HEDGES, WALTERS VOTING NO.
{Tape : 5; Side : A; Approx. Time Counter : 26.2 - 26.6}

Motion/Vote: REP. HAGENER moved HB 457 DO PASS as amended. The motion carried 13-2; REPS. WAGNER AND WALTERS VOTING NO.
{Tape : 5; Side : A; Approx. Time Counter : 26.6 - 27.4}

EXECUTIVE ACTION ON 508

Motion: REP. HAGENER moved HB 508 DO PASS
{Tape : 5; Side : A; Approx. Time Counter : 27.4 - 30.1}

Motion: REP. HAGENER moved DO PASS on conceptual amendments
{Tape : 5; Side : B; Approx. Time Counter : 0.1 - .4}

Discussion:

{Tape : 5; Side :B; Approx. Time Counter : 1 - 3.7}

Vote: The motion carried by unanimous vote to adopt amendments.

{Tape : 5; Side :B; Approx. Time Counter : 3.7 - 4}

Discussion:

REPS. HEDGES, RYAN, BRAINARD, ADAMS, RYAN, WAGNER, SMITH

{Tape : 5; Side :B; Approx. Time Counter : 4 - 7.7}

Motion: REP. ADAMS moved to table HB 508 as amended.

{Tape : 5; Side :B; Approx. Time Counter : 7.7 - 7.8}

Vote: The motion failed 8-9; REPS. HEDGES, DELL, MANGAN, MOOD, RYAN, GOLIE, LINDEEN, THOMAS AND HAGENER VOTING NO.

{Tape : 5; Side : B; Approx. Time Counter : 7.8 - 10}

Discussion:

REPS. RYAN, MOOD, DELL, WAGNER

{Tape : 5; Side : B; Approx. Time Counter : 10 - }

Motion/Vote: REP. BRAINARD moved HB 508 DO PASS as amended. The motion carried 9-8; REPS. WALTERS, ADAMS, ANDERSEN, TASH, WAGNER, CLARK, THOMAS AND BRAINARD VOTING NO.

{Tape : 5; Side : B; Approx. Time Counter : 12 - 18.1}

ADJOURNMENT

Adjournment: 1:10 P.M.

REP. MATT BRAINARD, Chairman

KAREN MILLS, Secretary

MB/KM

EXHIBIT (sth38aad)